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October 14, 2008

BY FAX(718)613-2546
Honorable Nicholas G. Garaufis
United States District Judge
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Re: Powers v. City of New York, et al: 04 Civ. 2246 (NGG)(VVP)

Dear Judge Garaufis:

I am the attorney for defendants in the above-referenced action. I write to confirm, as plaintiff's counsel, Stephen Jackson and I jointly indicated on Friday, October 10, 2008 both to this Court and to Judge Orenstein's chambers' by voicemail, that a settlement has been reached in this matter. I am drawing up a Stipulation of Settlement and will file it as soon as it is executed.

Thank you for your assistance.

Phyllis Calistro (PC 5527)

cc: Hon. Judge James Orenstein(by fax)
Stephen Jackson, Esq. (by fax)

*Case closed. Stipulation to follow
to be filed.*

s/Nicholas G. Garaufis, USDJ

10/15/08